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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application

Inventor: Apollon Papadimitriou

Group: 1653

Serial No. 09/853,731, filed May 11, 2001
(Case Docket No. 20619 US)

Examiner: Kam, Chih Min

For: ERYTHROPOIETIN COMPOSITION

DECLARATION OF APOLLON PAPADIMITRIOU, Ph.D.
UNDER 37 CFR § 1.132

Nutley, New Jersey 07110
February 5, 2004

Commissioner of Patents
Washington, D.C. 20231

Sir:

I, Apollon Papadimitriou, declare that:

I am the named inventor of the erythropoietin compositions claimed in the instant application Serial No. 09/853,731, filed May 11, 2001.

I am familiar with the pharmaceutical compositions disclosed in US Patent 6,583,272 B1, filed June 27, 2000 to Bailon, specifically formulations A-I presented in Example 8, Table 3. I am the source of the pharmaceutical compositions disclosed in the Bailon '272 patent and am the sole inventor also of these compositions.

considered
5/28/05
CMK